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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,078	02/15/2002	William Bolick	PBOLIWC	6922

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EXAMINER

KIM, CHONG HWA

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/078,078

Applicant(s)

BOLICK, WILLIAM

Examiner

Chong H. Kim

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 2-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control, for controlling a cable 12, the cable having a portion within the transversely moving cable control 17, segments outside the transversely moving cable control, and original position for all portions and segments of the cable before the transversely moving cable control has been activated, which comprises;

a means 23 for transversely moving the portion of the cable which is within the transversely moving cable control to create a pulling force upon one end 12' of the cable; and

a means 24 for maintaining the segments of the cable which are outside the transversely moving cable control substantially in the originally positions of such segments.

3. Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control for controlling a cable 12, the cable having segments in original position before the transversely moving cable control has been activated, which comprises;

a hollow base plate 16 to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original position (as shown in Fig. 1 inside the section 24) of such segments of the cable;

a means 23, 24 for transversely moving an intermediate portion of the cable to create a pulling force upon one end of the cable and for maintaining a second segment of the cable which lies outside the transversely moving cable control in substantially the original position of such second segment of the cable;

wherein the means for transverse movement and maintaining the second segment in substantially the original position of such cable comprises;

a cable guide 24 attached to the hollow base plate to maintain the segment of the cable (in the region where reference number 13 is indicated in Fig. 1) which lies outside the hollow base plate beyond the cable guide in substantially the original position of the cable;

a lever 14 rotatably attached to the hollow base plate;

a pulley 23, the pulley having a pivot 25, attached to the lever across which pulley the cable runs so that when the lever is rotated away from the base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating the pulling force on one end of the cable;

an exit aperture (at the upper portion of the lever 14 as shown in Fig. 1) in the lever to maintain the segment of the cable which lies outside hollow base plate beyond the exit aperture in substantially the original position of the cable;

wherein the pulley is removably attached to the lever; and
a channel (the hole wherein the pins 25 of the pulley are inserted therein) in the lever within which the pivot of the pulley can be releasably fastened, released, moved, and releasably fastened again.

4. Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control for controlling a cable 12, the cable having segments in original position before the transversely moving cable control has been activated and the cable having a first end 12', which comprises;

a hollow base plate 16 to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original position (as shown in Fig. 1 inside the section 24) of such segments of the cable; and

a means 23, 24 for transversely moving an intermediate portion of the cable to create a pulling force upon one end of the cable, the means for transverse movement being adapted for attachment of the first end of the cable;

wherein the means for transverse movement adapted for attachment of the first end of the cable comprising;

a cable guide 24 attached to the hollow base plate to maintain the segment of a cable which lies outside the hollow base plate beyond the cable guide in substantially the original position of the cable;

a lever 14 adapted for attachment of the first end of the cable and rotatably attached to the hollow base plate;

a pulley 23, the pulley having a pivot 25, attached to the lever across which pulley the cable runs so that when the lever is rotated away from the base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating the pulling force on one end of the cable;

wherein the pulley is removably attached to the lever; and
a channel (the hole wherein the pins 25 of the pulley are inserted therein) in the lever within which the pivot of the pulley can be releasably fastened, released, moved, and releasably fastened again.

5. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a process for exerting a control force at one or more ends of a cable, the cable having an intermediate portion and outer segments in original positions before the process commences, which comprises;

transversely moving an intermediate portion of the cable to create a pulling force upon one or both ends of the cable (by the pulley 23); and

simultaneously maintaining the outer segments of the cable substantially in the original positions of such segments (by the guide 24).

Response to Arguments

6. In response to the applicant's argument concerning claim 1 that the cable of Ross only has one segment outside of the cable control, it is noted that the applicant has not defined in the claim exactly which parts constitute segments of the cable. Therefore, it is the Examiner's view, as broadly construed, that any parts of the cable outside the transversely moving cable control 17 as shown by Ross can be construed as segments separated by any imaginable lines envisioned by one of ordinary skill in the art.

7. In response to the applicant's argument that Ross fails to show "a means for transversely moving the portion of a cable which is within the transversely moving cable control", it is discussed above in the rejection in paragraph 2, that a means 23 transversely moves the portion of a cable that is within the transversely moving cable control 17. It is agreed that as the control 17 is actuated by the operator's hand, the cable 12 is wound around the wheel 20. However, the wheel 20 is not the only device that pulls the cable. As shown in Fig. 1, the means 23 by actuation of the control 17 pulls the portion of the cable that partly wraps the means 23 as well as the means 23 travels in an arcuate path about the axle 21. Therefore, such pulling action on the cable can be interpreted as being in the transverse direction.

8. In response to the applicant's arguments regarding the rejections of claims 6-9; claims 10-13; and claim 14, by referring to the claim 1 argument, it is the examiner's belief that the reasoning discussed above is sufficient enough to maintain the rejections.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

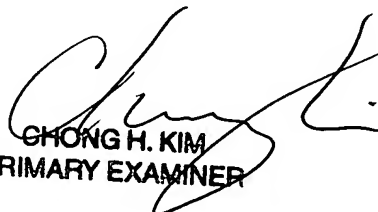
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chong H. Kim whose telephone number is (703) 305-0922. The examiner can normally be reached on Tuesday - Friday; 8:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on (703) 308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

chk
March 5, 2004


CHONG H. KIM
PRIMARY EXAMINER